

## **CITY UTILITIES COMMITTEE**

### **MINUTES**

**MAY 31, 2011**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, May 31, 2011 at 10:10 a.m., in Committee Room #2.** The following members were present:

**The Honorable Natalyn M. Archibong, Chair**  
**The Honorable C. T. Martin**  
**The Honorable Yolanda Adrean**  
**The Honorable Howard Shook**  
**The Honorable Carla Smith**  
**The Honorable Aaron Watson**

The following member was absent:

**The Honorable H. Lamar Willis, Vice-Chair**

Others present at the meeting were: M. Theresa Stewart, Marc Goncher, Stephanie Grant, Lem Ward, Michael Patrick McShane and Roger Bhandari, Law Department; Commissioner Richard Mendoza, Department of Public Works; Dexter White, Interim Commissioner, Deputy Commissioners Jim Beard, Sharon Matthew and Eric Glover, Department of Watershed Management; Keith Brooks, Office of Procurement; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 10:10 a.m. after declaring a quorum present. She then proceeded with the following order of business.

**A. ADOPTION OF AGENDA - ADOPTED AS AMENDED TO ADD ONE ORDINANCE FOR FIRST READING**

**B. APPROVAL OF MINUTES - APPROVED**

**C. PMTS CONTRACTS MONTHLY REVIEW - DEPARTMENT OF WATERSHED MANAGEMENT**

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**D. ORDINANCES FOR FIRST READING**

- 11-O-0849 ( 1)     An Ordinance by City Utilities Committee amending the 2011 (General Government Capital Outlay Fund) Budget, Department of Public Works by transferring to and from appropriations in the amount of \$181,458.25 and authorizing the Mayor, or his designee, to execute Project Framework Agreements between the City of Atlanta and the Georgia Department of Transportation for Design and Construction Services for the Glenwood Moreland LCI and D. L. Hollowell/Westlake LCI Projects; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

- 11-O-0850 ( 2)     An Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Articles II (Water and Sewer Billing and Collections Procedures), Section 154-26 (Water and Sewer Appeals Board) of the City of Atlanta, Code of Ordinances; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

**REGULAR**

**E. ORDINANCES FOR SECOND READING**

- 11-O-0740 ( 1)     An Ordinance by City Utilities Committee to amend Chapter I entitled "Administration" of Appendix C entitle "Plumbing Code Amendments" to adopt Section 1300 entitled "Requirements for Rainwater Catchment Systems for Residential Potable Use; to regulate potable rainwater catchment for residential use; to institute safeguards that ensure potable rainwater catchment systems do not interfere with City of Atlanta Water Supply; to streamline the installation of potable rainwater catchment systems; to amend Chapter 154 "Utilities", Article V. " Sewage Disposal," Division 3 "Rates and Charges," Section 277 "Sewer Service Charge", Subsection (d) to exempt residential rainwater catchment systems from the requirement to install and measure water usage through meters to determine sewer service charges; and for other purposes. **(To be advertised for Public Hearing.)**  
**(Councilmember Archibong made a motion to hold)**

**HELD**

**ORDINANCES FOR SECOND READING (CONT'D)**

- 11-O-0741 ( 2)     An **Amended** Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY2011 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of \$17,600,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for Various DWM Annual Water Projects; and for other purposes.  
**(Councilmember Shook made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

- 11-O-0742 ( 3)     An **Amended** Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY2011 (2009A Water and Wastewater Bond Fund-5066) Budget in the amount of \$9,402,772.00 to transfer funds from the Capital Projects Reserve (2009A Water and Wastewater Bond Fund-5066) for Appropriations and add to appropriations for funds for Water & Hydrant Assessment Projects; and for other purposes.  
**(Councilmember Shook made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

**F.     RESOLUTIONS**

- 11-R-0851 ( 1)     A Resolution by City Utilities Committee authorizing the Mayor, on behalf of the City, to execute a Maintenance Agreement with the Georgia Department of Transportation and CSX Transportation for Construction and Maintenance Services for the Fairburn Road Bridge Replacement, for Project CSBRG-0008-00 (299), P. I. No. 0008299, at no cost to the City; and for other purposes.  
**(Councilmember Shook made a motion to approve)**

**FAVORABLE**

**ORDINANCES FOR SECOND READING (CONT'D)**

- 11-R-0852 ( 2)     A Resolution by City Utilities Committee authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with Carnegie Hotels, LLC., owner of real property located at 131 Carnegie Way, NW, Atlanta, Georgia, for the purpose of permitting two (2) marquees, nine (9) awnings, and one (1) blade sign to partially extend into the public right-of-way along the north side of Carnegie Way, NW between Ellis Street, NW and Forsyth Street, NW and on the south side of Ellis Street, NW between Carnegie Way, NW and Peachtree Street, NW; and for other purposes.  
**(Councilmember Watson made a motion to approve)**

**FAVORABLE**

- 11-R-0853 ( 3)     A Resolution by City Utilities Committee authorizing the Mayor to issues a Task Order to Arcadis/Brindley, Pieters & Associates, Joint Venture, for FC-4906A, Citywide Annual Contract for Architectural and Engineering Services – Danforth Road Sidewalk Improvement Project, on behalf of the Department of Public Works in an amount not to exceed \$99,504.39; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account; and for other purposes.  
**(Councilmember Shook made a motion to approve)**

**FAVORABLE (1 ABSTENTION) ADREAN**

**G.     PAPERS HELD IN COMMITTEE**

- 10-O-0939 ( 1)     A **Substitute** Ordinance by City Utilities Committee to amend Chapter 154, Article V. Division IV. Section 297 of the Atlanta City Code of Ordinances Entitled "City of Atlanta Grease Management Ordinance" (§154-297 et seq.) to adjust Wastewater Discharge Permit Fees; and for other purposes.  
**(Substituted and held 8/31/10) (Public Hearing held 9/21/10)**

**ORDINANCES FOR SECOND READING (CONT'D)**

- 10-O-1058 ( 2)     An **Amended** Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article III (Water), Division I (Generally) of the City of Atlanta, Code of Ordinances. for the Department of Watershed Management Bureau of Drinking Water to adjust Meter Hydrant Service and Installation Fees; and for other purposes. **(Amended and held 7/13/10) (Public Hearing held 9/21/10)**
- 10-O-1059 ( 3)     A **Substitute** Ordinance to amend Section 173 (Charges for Sewers laid by Developer for Use of Development), Division 2 (Assessments), Chapter 154 (Utilities), Article IV (Sewer Construction and Assessments), of the City of Atlanta Code of Ordinances to increase certain fees and impose new fees for Pipe and Structural Inspection, Erosion Control and Construction Inspection, Site Plan Review, and other services; to create a new Section 318 (Application Fees), Article VII (Riparian Buffer Requirements) Chapter 74 (Environment), to impose a new fee for plan review related to Riparian Buffer authorized Encroachment Applications; to create a new Section 521 (Fees), Article X (Post Development Stormwater Management) Chapter 74 (Environment) to impose a new fee for Plan Review related to Post Development Stormwater Management; to create a new Section 208 (Fees), Article VI (Flood Area Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Flood Plain Management; to create a new Section 406 (Fees), Article VIII (Wetland Protection Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Wetlands Protection; and for other purposes. **(Held 6/29/10 for a Public Hearing) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**
- 10-O-1688 ( 4)     An Ordinance by Councilmembers Ivory L. Young, Jr. and Michael J. Bond, authorizing the Mayor or his designee to abandon the portion of James P. Brawley Drive, SW located between Beckwith and Martin Luther King, Jr. Drive, SW on the east and located between Mitchell Street, SW and Beckwith Street, SW on the west and being more specifically described in Exhibit "A" and more completely described in Exhibit "B" lying and being in Land Lot 109 of the 14<sup>th</sup>

**PAPERS HELD IN COMMITTEE (CONT'D)**

District, Fulton County, Georgia; to abandon the portion of Mitchell Street, SW between James P. Brawley Drive, SW and Paschal Boulevard, SW as marked on Exhibit "A" and more completely described in Exhibit "C"; to abandon Student Nonviolent Coordinating Committee ("SNCC") Way, SW between 399.76' south of Mitchell Street, SW and Beckwith Street, SW on the west side and between Mitchell Street, SW and Beckwith Street, SW on the west side as marked on Exhibit "A" and more completely described in Exhibit "D"; and for other purposes. **(To be advertised for a Public Hearing) (Held 9/14/10 for further discussions and a Public Hearing)**

- 10-R-2126 ( 5)     A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Stack/NAPM, LLC, a Joint Venture, for FC-4757, South River Basin – East Point Sewer Replacement, on behalf of the Department of Watershed Management, in an amount not to exceed \$14,578,251.74; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers and PTAEAO Numbers listed; and for other purposes. **(Referred back by Council 1/3/11) (Held on substitute 1/14/11 at the request of the department)**
- 11-O-0080 ( 6)     An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or his designee to impose a Moratorium on street name changes for six (6) months; and for other purposes. **(Held 1/14/11 at the request of the author)**
- 11-R-0088 ( 7)     A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Cleta Winslow authorizing the Mayor or his designee to enter into an agreement between the City of Atlanta and the Urban Villa Neighborhood Association allowing the installation of a neighborhood sign within a certain right-of-way; and for other purposes. **(Held 1/14/11 for further review)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 11-O-0108 ( 8)     An Ordinance by Councilmember Michael J. Bond to designate the intersection of Atlanta Student Boulevard, SW and Walnut Street, SW, Flipper Temple AME Square; and for other purposes. **(To be advertised for a Public Hearing) (Held 2/1/11 for further discussion)**
- 11-R-0617 ( 9)     An **Amended** Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment Agreement No. 2 for FC-4084, Valve and Hydrant Asset Assessment Program with WUS-BPA, Joint Venture, LLC, on behalf of the Department of Watershed Management in an amount not to exceed \$9,402,772.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers and PATEO listed; and for other purposes. **(Held 4/26/11 at the department request) (Amended and held 5/31/11)**
- 11-C-0668 (10)     A Communication by Mayor Kasim Reed appointing **Jo Ann J. Macrina, PE**, to serve as Commissioner of the Department of Watershed Management for the City of Atlanta. This appointment is effective upon Council confirmation. **(Held 4/26/11 until the 5/10/11 meeting)**
- 11-O-0681 (11)     An Ordinance by Councilmembers Yolanda Adrean and Howard Shook to waive the term restriction contained in Section 154-26 of the Code of Ordinance stating that members of the Water and Sewer Appeals Board shall not serve more than eight consecutive years, so as to allow the reappointment of present board member Seymour Liebmann; and for other purposes. **(Held 4/26/11 for further review)**
- 11-R-0743 (12)     A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with A & D Painting, Inc., for FC-5213, Annual Contract for Painting and Pressure Washing Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$238,669.22; all contracted work shall be charged to and paid from Fund, Department Organization and Account Number listed; and for other purposes. **(Held 5/10/11 for further discussion)**

**PAPERS HELD IN COMMITTEE (CONT'D)**

- 11-R-0774 (13) A Resolution by Councilmembers Natalyn M. Archibong and Howard Shook authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$\_\_\_\_\_ as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards \_\_\_\_\_ pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes. **(Held 5/10/11 as dummy paper)**

**H. REQUESTED ITEMS**

1. Councilmember Shook made a request to the Law Department to respond to how the City can pursue individuals and businesses that have had water debts with the City and are allowed to open new accounts. What can the City do about it?
2. Councilmember Martin requested that the committee host a work session regarding the People TV Board.
3. Councilmember Adrean requested metrics be developed to show compliance with safety procedures. (i.e. # of incidents, % of time in compliance)
4. Councilmember Archibong requested metrics be developed for bulk rubbish pickup. (i.e. # of calls received, tons material picked up, # of days to respond, etc.)
5. Councilmember Archibong requested metrics be developed for Graffiti Task Force. (i.e. # of walls cleaned, gallon of paint used, # of days to respond, etc.)
6. Councilmember Archibong requested the Department of Watershed to include their Quarterly Update the number of raised valves on the manhole covers.
7. Councilmember Archibong requested that the Department of Watershed host a work session to the Full Council on the Status of the Consent Decree.



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**REQUESTED ITEMS (CONT'D)**

8. Councilmember Martin requested the Department of Watershed to provide an updated map by Council District on the Consent Decree-Rated Activities.

**I. ITEM NOT ON THE AGENDA**

**ORDINANCE FOR FIRST READING**

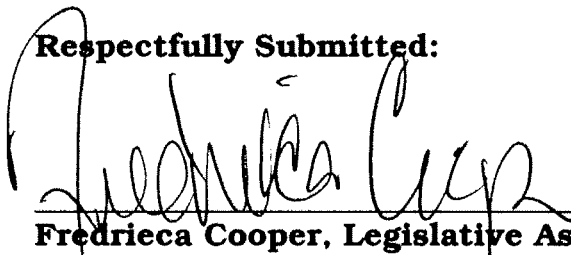
- 11-O-0856 ( 1)      An Ordinance by City Utilities Committee to repeal  
\*\*\*                      Ordinance 10-O-1981 which renamed Harris Street to John  
                                Portman Boulevard; and for other purposes.

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**There being no further business to come before the Committee, the meeting was adjourned at 11:33 a.m.**

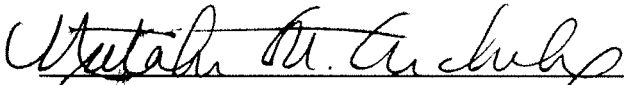
**Respectfully Submitted:**



**Fredriecca Cooper, Legislative Assistant**



**Alfred Berry, Jr., Research and Policy Analyst**



**The Honorable Natalyn M. Archibong, Chair  
City Utilities Committee**